

Agua Hedionda Lagoon – Northern Jetty Restoration Project
Transcript from Public Scoping Meeting
6:00 pm on Friday, April 20, 2001
Carlsbad Safety Center

Welcome and introduction by Goodyear (Kirk) Walker:

Good evening and welcome to the public scoping meeting for the Jetty Restoration project. My name is Goodyear Walker and I am on the staff of the California State Lands Commission, who will be acting as the state Lead under the California Environmental Quality Act. We are the Lead Agency because we are the land owner. I am going to give a brief description of the proposed project, as will representatives of the project applicant, Cabrillo Power. I will then get to the heart of the meeting, which is to gather your comments and questions on the project.

The California State Lands Commission is currently engaged in hiring a consulting firm to assist in the preparation of an Environmental Impact Report (EIR). This document will also be used by the Army Corps of Engineers to prepare federal environmental documentation. Your comments and questions tonight will be given to the consulting firm to help establish issues that will be covered by the EIR.

In terms of process, the next step after this meeting will be actually selecting the consultant and putting them to work preparing the Draft EIR. This document will be sent out to our mailing list and anyone else who requests a copy. It will also be placed on the State Lands Commission website and will be let to circulate to the general public.

After that document has been distributed and after people have had time to read it, I will be back to hold another public meeting to gather questions on that document and to reassure ourselves that the comments which people brought up have been answered; also to see if new issues have arisen.

We will be taking the comments generated by the Draft EIR and use them to prepare a final. This will be done in approximately September of this year. The State Lands Commission itself will then meet in a public session to certify the EIR, and to vote on whether or not the project should be approved. This will be either toward the end of October or November. The State Lands Commission consists of the Lieutenant Governor, Controller and Director of Public Lands.

With that as a general outline of our process, I would like to turn the meeting over to Leslea Meyerhoff, who will tell you a little about the proposed project.

Power Point Jetty Presentation by Leslea Meyerhoff

Good evening. My name is Leslea Meyerhoff; I'm with Hofman Planning in Carlsbad. We represent Cabrillo Power on this project.

This is really just a brief overview of the lagoon, and a little bit of history on the lagoon; a little bit of history regarding the jetty; a description of the need for the project, and a brief description also on the timeline of the project.

I'm not sure how much of this is old information. The Agua Hedionda Lagoon was originally dredged in 1954, essentially as a part of the construction of the Encina Power Station. The jetties were built to stabilize the lagoon mouth. Previously it had shifted considerably to the north and south, so this essentially guaranteed an open inlet into the lagoon.

When the jetties were initially constructed, based on historical documentation, specifically a photo, it was learned that they were originally 700 to 750 feet long. We know that by about the mid 60s, the jetties were shorted to their present day length, and we believe that that's based largely on storm events and their original engineering.

As most of you do know, the lagoon is regularly dredged, and has been since 1954. A lagoon dredge event just wrapped up was the 26th dredge event for Agua Hedionda Lagoon.

The lagoon functions like a sediment sink, trapping a lot of sand moving along the coast. That is a potential function of the fact that the power plant uses seawater for cooling purposes. The water comes into the lagoon through the inlet channel, and leaves the lagoon through the outlet channels, located (as you can see on this photo) at the south end of the lagoon.

The need for the project, why we are here today: Lagoon sedimentation is projected to cumulatively increase over the long term because of two pending actions at this point. One is the SANDAG Regional Beach Sand Project, which will add over 600,000 cubic yards of sand to the beaches north of Agua Hedionda Lagoon. It will also add some sand toward the south end of the project site as well. That in combination with Coastal Commission and local requirements to place 30 percent of the sand to the north upon each dredge event will cumulatively increase sedimentation over the long term at Agua Hedionda Lagoon. So the jetty restoration is essentially a supplemental response to dredging to manage the lagoon for the long term.

The lagoon traps an average of 400 cubic yards plus of sand a day. That is an historical average over the long term. The sedimentation rate varies, but the 400 is an average. We assume that sedimentation will increase starting this spring. We just finished the current

dredging project, and 140,000 miles of sand were placed on north beach from north of the jetty inlet to Oak Street.

SANDAG is proposing to provide some mitigation in about 5 years time frame, once their long-term monitoring program was concluded, but nothing would be done in the interim.

This photo shows before and after, and you'll see that with the extension, the end of the jetty is still within the surf zone.

The jetty restoration project is not original for Cabrillo Power. It has been proposed before. These studies we know for certain proposed it: 1993 SANDAG study; 1994 Army Corps study; 1995 SANDAG/Department of Boating and Waterways study; Regional Beach Sand Project EIR considered it as an alternative to the beach sand project, and discarded it primarily due to economic reasons. This project was proposed in November, 2000 with an application to the State Lands Commission.

This is the project timeline at this point: Completed project application in December; Our first public scooping meeting (here tonight); As Kirk mentioned earlier, they (the State Lands Commission) are beginning their search for an environmental consulting team to prepare the environmental documentation; We hope to begin permitting the project sometime next year, after the environmental process has been completed; Construction should take approximately three months of time, being conducted over winter off-season, and about 18 months from now.

Kirk Walker begins Public Comment Period

In addition to comments we receive tonight, we are accepting comments by mail at the State Lands Commission, by phone or by e-mail, and all of the addresses are up here on the board.

Addresses are as follows:

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Public Comments

1. ***What is the tidal prism, and how has it changed over time?*** Response was something to effect of that we have access to that information, and could provide it to you. Kirk discussed dredging in his response. The average has been 284,000 cubic yards, and for 2000-2001, it was approximately 400,000. One of the things the environmental document will do is to look at the dredging history. It will look at some scenarios to what possible amounts of dredging would be done under different types of construction with and without the jetty.
2. ***How will you address the problem of sand loss to the beach to the south of the jetty?*** Response: This is probably the single largest issue that the environmental impact report will have to look at. The project...reports to allow for complete passage of sand to the south. Basically the sand will flow by and not get trapped by the mouth of the lagoon. The sand placed north will bypass the mouth of the jetties, to the south.
3. ***It was further questioned if the sand would turn toward the coast once it passed the jetties.*** There will have to be some sort of dynamic action...
4. ***How will you know what the sand will do?*** Response: What I've read is that its not easy to tell what the sand will do. One of the important parts of the proposal for the consultant preparing the environmental document, is that they have to look at all the modeling that has been done to date, look at the design of the proposed jetty, and look at alternatives to that proposal, to basically prove or disprove the applicant's proposal. They believe they have done enough physics and hydrology to show that this will work; we will double and triple check all of these figures. We will also circulate it, of course, with the draft, which will be fair game to everyone. It is my experience, mostly to the north of here in the Santa Barbara Channel, that there is still a fair amount of art to the design as opposed to science. Sand does not always go where we think its going to go; water does not always move in the same direction as it did the year before.
5. ***What guarantee is there that the sand will do what they say it will?***
Response: There are two parts to this. First is that our consultants will review the evidence that our applicants provided. The more important is that the EIR will provide for some monitoring to see if that happens. Those mitigations will be part of the environmental document that the State Lands Commission will approve to allow them to install the jetty.
I think there are various alternatives to propose, but it is probably premature for me to do that. I am not a sand expert nor an engineer. I am a biologist and geologist by trade. That is probably the single most important question of this EIR.

6. ***Question about the jetties in the past.*** Response: There are some old aerial photographs with a different design in which both jetties were that long. What is being proposed here is only one long jetty and one short one. The point of this is to create a hydrology that allows the water to pull the sand past the north jetty, and rather than sucking it in by getting caught on the south jetty, to let it go on past.
7. ***Can reversing the pumps be looked at, so water flows in at the south and out at the north?*** Response: That is an option that can be looked at as a possible alternative.
8. ***What effect could the creek flow have on sedimentation?*** Response: It is hard to say. This could be very unpredictable. There are dry years; there are wet years. There are run-off years and non run-off years. I don't think it is realistic to assume that the creek itself is providing full... flushing, but then again, that is something that will have to be looked at.
9. ***What effect will this have on Encinitas?*** Response: The project EIR has to look at the effects of the project up and down the coast. I don't know how far down the coast this would go, but it is logical to assume it will go the entire length of the sand cell. The south end of the cell is at La Jolla Canyon, at Scripps. Certainly the study will look directly south, and presumably would go as far as the south end of the cell. We also have to take a look at the immediate north because of the Coastal Commission requirement that sand be placed north of the jetty, so we'll have to look at the potential impact there as well.
10. ***What was the effect on the southern beaches when the 700 foot long jetties were originally built?*** I have no idea. ***Does anyone know?*** Response: One of the resources we can look at is the State Lands Commission's sizeable archive of aerial photos. We actually have photographs of most of the coast going back to the 10s and 20s. The nightmare to this resource is that we have no real index. ***Is there any ... documentation?*** Not that I know of. ***I guess they didn't think of that kind of stuff back then.***
11. ***I have always heard, in the 10 years I have lived here, that one of the first instances of the beaches becoming eroded of sand was because during WWII there were jetties and such being built as far north as Pendleton. That was the first start of the beaches, slowly but surely, losing their big supply of sand. That stuck in my mind when I was alerted to the proposal that is being discussed tonight. My question is, first of all, I agree with you the concern is going to be very much with the cities to the south of here. I'm talking Carlsbad State Beaches to the south of here around Batiquitos, Encinitas, Solana Beach, Del Mar. And when you talk about mitigation contingency, what are you really talking about, because only a few weeks ago, SANDAG finally proudly announced some more sand is coming to the***

beaches. I sense, since you said so yourself, that the effect on the beaches south of here is the most important point. How would you handle such a situation? Would you maybe dismantle the jetty? Would you dredge the lagoon more on a continuous basis? I don't know where these people are from (referring to the other people in the room), but I think that if I was a local official from Del Mar or Solana Beach, or a surfer, I would be most concerned with this proposal because 700 feet isn't exactly the length of the room. So could you tell me, when you say contingencies and mitigation, what exactly do you mean? Because if the mitigation is going to be 100 miles away, that's not going to help the beaches. Response: The mitigation will fit the project. And certainly, based on other actions our commission has taken, if it is a viable measure, then yeah, take it back out. It could also be redesigned, or modified. Or we could reintroduce a dredging program. All these things need to be looked at as possible alternatives to the project, and as possible mitigation measures. Certainly, the current commission is not shy about requiring things to be undone if that is the best solution. **Leslea:** As a point of clarification, I wanted to add to that when the jetties were currently built, they were 700 to 750 feet long. Currently they are 387 feet, and the restoration would add 200 more feet, so they would be less than 600 feet total, less than their original historic length.

12. *Another question about the historic jetties.* Response: We don't know if those cut off the sand at that time. Not all of the actions that occur at the coast are a result of coastal structures. When they were originally built, there was a different setup of coastal bluffs, which at one point provided more sand than the rivers provided. There is a lot of that information that is as much educated guess work as it is documented.
13. *Would you say that this project will help, will add to the amount of sand on the beaches south of the project site?* Response: That is not being advanced as a goal of this project. What the State Lands Commission demands is that it make things no worse. It would appear from the studies that have been done so far that it will make some improvement. However, the project applicant is not trying to propose this as a benefit. The project is proposed to basically stop the dredging, which we know is detrimental, and to make sure there is no damage done.
14. *Would the project be more harmful, or the dredging?* Response: In our experience, any time you are dealing with dredging, you are doing harm to the lagoon environment. Dredging is by no means a natural condition. You are disturbing the sediments, you're re-suspending sediments in the water, which can expose them. They may be placed on the beach. It can increase turbidity, and increase chemicals in the lagoon. Dredging works for its purpose. Dredging keeps the lagoon channel open, but it is by no means anyone's first option.

15. *So the lagoon dredging is caused by the power plant?* Response: Well, if the power plant wasn't there, the lagoon wouldn't be there either. Really, for the lagoon, it was the construction of the power plant that built that.
16. *Most projects have two or three alternatives to any problem. Years ago when they built the power plant, they must have considered other things beside the jetties. For example, forget about the lagoon. Somebody must have considered bringing the cooling water from the ocean along pipes, either buried underground or on the surface of the ocean floor. Do you know if there is such a proposal or if there was ever such a proposal?* Response: I don't know if that was done. That was certainly before CEQA, so there was no requirement that those alternatives be made public, though they might have been part of the engineering studies. On the other hand, there is a requirement in CEQA that alternatives be proposed. These alternatives do not necessarily, in fact are not usually, proposed at the application phase. They are usually come up with by the staff of the State Lands Commission, and the consultant (who prepares the EIR). So, alternatives can be looked at in this way. Such alternatives could include a different design for the jetty, it could be a so-called No Project alternative, which just continues the status quo with dredging. Any kind of alternative is fair game at this point. The consultant, in collaboration with the State Lands Commission staff, will prepare a set of alternatives to be looked at.
17. *Mr. Walker, I would like to bring your attention to the fact that there is an oceanographer in this room by the name of Scott Jenkins who I believe, several years ago, wrote a report for SDG&E when they controlled the power plant, that discusses observations for the ramifications of several different proposed jetties for this particular location. For several months now, I've been requesting that Cabrillo Power make public this document so that we all might look at his ruminations and his reflections on the various alternatives, and we might come up with a more educated opinion than simply looking at a tunnel vision, one project, single focus alternative. I hope that in the course of your required study of alternatives, you'll have a look at Mr. Jenkins' report, and I hope you'll make it public.* Response: Anything that goes in the EIR is, by definition, public. As far as private documents, there is no requirement to make them public until such a time as they become part of an EIR document.
18. *I don't know if you are aware, but the study that was done before Oceanside Harbor could go in, and for years after that, they have determined that 85% of our sand did get stopped by that harbor. The Army Corp of Engineers has been mitigating the City of Oceanside substantially ever since, so I would like to see that that be part of the process as far as making sure that gets into the report that has stopped the sand.* Response: The Army Corps works part and parcel with us as far as environmental review. Their materials are public materials.

19. ***Another question about Dr. Jenkins' report.*** Response: It is my understanding that that document was bought and paid for by a private agency. There is no legal requirement that they turn them in. They may consider them proprietary at this point.... **Leslea:** Cabrillo Power has made available an opportunity for Mr. Macklin, as a member of the City's Beach Erosion Committee, to look at the document at his leisure in our office. And that offer still stands. ***Why don't you put it on the table and let everyone have a look at it. It is certainly a public project. I feel everyone ought to have the same access.*** **Leslea:** The issue is that this is an entirely new project going through the environmental review process. Dr. Jenkins' report is not an environmental review. This is the project. This is what is going forward with regard to the environmental process. ***But why not make that a part of this public process so that we can look at that as well as all of the other alternatives.*** Response: At this point it is my understanding that this is not a part of the proposed project, so why include it in the environmental review. ***To look at the alternatives, I thought you said.*** Response: But we won't look at those alternatives until the environmental impact report comes out. We have to compare these alternatives to all the other alternatives. It certainly wouldn't be fair to have one set of alternatives at the table or sitting in the wings, and some not even thought of. To be fair, we need to look at all the alternatives together.
20. ***I'd like to follow up on my idea about shutting down the lagoon all together. I haven't heard anyone mention the idea of shutting down the lagoon all together and finding other means of pumping water to the plant for cooling.*** Response from another member of the public: ***They didn't call the lagoon Stinking Water for nothing. You want to keep that water circulating. You close down the lagoon, you won't get that water circulating.*** Member of Public who made initial comment: ***No, I mean just pump it through the culvert and just let the cooling water just roll back into the ocean. Just bring it in and let it flow back out at the lowest point.*** Response: I suspect that if I suggested that, my counterparts at the Coastal Commission would probably fry me, but as an alternative it can be brought up. I think there are a lot of people who have an interest in maintaining all of the remaining lagoons in California.
21. ***Suggestion of using an offshore pipeline for intake water, and use of lagoon mouth as outtake.*** Response: This would likely be an alternative considered in the EIR/
22. ***Lack of and loss of sand on the beach negatively affects property values.***
23. ***Comment that the power plant was supposedly burning oil again.*** Comment noted; No response.

24. ***The power plant is certainly not the best neighbor in the world.*** This led to an exchange between Ernest Soczka and the public commenter regarding the taxes paid to the City by the plant, and the burning of oil which leaves a residue on peoples' railings, cars, etc. Soczka stated that it was tire dust, not oil residue and offered to have the residue tested. He also stated the taxes the Plant pays, and that the Plant does not have responsibility for actions/negligence of the plant's previous owner.

Kirk: I do want to encourage you, if you think of something else, to call me, email me, write me. It is the State Lands Commission's intention to cover all of the issues that are raised as thoroughly as possible, and to present to the public a document that both explains what can be done, what the options are, and the advantages and disadvantages of all of our options. It is very important to us to continually get the public's input, the public's comments.

25. ***Steve Jantz, City of Carlsbad: Mr. Walker, there has been a lot of talk in this room about the various alternatives. Maybe for my benefit you could go back through your process. There seems to be a suggestion that maybe there is a need to have some sort of interim workshop for the public so that you can explain to them what the consultants found as alternatives, and there may be some other ideas that come out of the room that, as they go into their analysis stage, they can go look at those. But there is no context between now and the time they do a lot of work. Like I said, there are some ideas that may come out of here. So, were you looking at any other public workshops when you hire the consultants to give them more ideas, or have them report back to a group like this of where they are, what stage in the process?*** Response: Normally we wait until there is a draft document out. We can certainly look at the option of coming down for a second meeting. After the draft is out, it will circulate for 30 to 45 days. Our drafts are true drafts. We've been known to completely turn them upside down and backwards.
26. ***If we give our email, maybe you could send out a status, every month or two, of where we are with this document and how its evolving.*** Response: Another thing you can check is the State Lands Commission's website. On that website, there will be updates on this project and other projects we are working on. The current commission has open sessions at each of their meetings if anyone wants to make a comment on projects. We will do our best to keep all of you informed and appreciate your input.
27. ***I'm Craig Elliot, a representative of the Agua Hedionda Lagoon Foundation, and a resident who lives on the north shore of the lagoon. The purpose of the Lagoon Foundation is to protect the lagoon, to preserve it as a beneficial body of water for the use of all. And certainly, as mentioned earlier, without the power plant, there'd be no lagoon, and would be first of all a marsh, and finally a meadow. It is not the purpose of the lagoon***

foundation to see the lagoon turned back into a meadow. We want to see it the way it is: useful for recreation; for boating; for fishing; for jet ski folks to run around in; for the aquaculture farm in the outer lagoon; for Hubbs Research Center; for the Boy Scouts, and I believe the YMCA in the middle lagoon; and for those of us who live on the north shore to be able to look out the window in the morning and see the sky and see the water. It's a beautiful, beautiful place, and we'd like to see it kept that way. Dredging is one of the ways to keep it open. The addition of the short length of 200 feet to the north jetty, if it will do what it's claiming, will minimize, not do away with as I understand it, but minimize the amount of dredging that needs to be done, and minimize the disturbance to the general ecology of the lagoon. The foundation, in general, is in favor of that extension, provided that the EIR does what it's supposed to do, and shows us what the alternatives are and what the likely outcome is to be, and what the proposed mitigations, should it not do what we believe it will do. In contrast to someone who believes the power plant is not a good neighbor, I'm sure that some of you are aware of the infestation of the caulerpa taxifolia algae in the lagoon, down by the Snug Harbor end of it. The bulk of the cost of the extermination of that plant has been borne by the power plant. And they continue to support that activity in a very strong way. We, the Southern California Caulerpa Action Team (SCCAR), of which I'm also a member, just applied for a grant from the federal government through Senator Feinstein, for \$3 million to continue that activity. The power plant has been very, very helpful in helping us get that effort under way, and supporting the meetings of the people, there are 11 different government agencies involved in that activity, and without the help from power plant, I don't think we would have gotten the contacts made. So, from my view point, as a resident of the lagoon, as a member of the Agua Hedionda Lagoon Foundation, as a member of the Southern California Caulerpa Action Team, I thank the power plant for their help. Response: The second biggest issue of the material we have seen so far at this meeting, is the health of the lagoon. Both the State Lands Commission, and our sister agency the Coastal Commission, have very strong feelings about the health of the lagoons.

28. *It seems like lagoon preservation and shoreline preservation are conflicting goals. All the damning and structures built seem to cause a problem of sand erosion on the beach.* Response: Coastal structures are probably not the entire problem. They are the part of the problem that is under our control. There is nobody I know of who wants to return to cobble beaches. If you've seen some of California's beaches after a storm, that's where they are. I have seen pictures of the Pendleton coast line from about 1910, long before the jetties were built, and there was no beach there. Beaches come and go.
29. *I would like to know, are you planning to take your act on the road now and go down to the southern cities and to make this presentation to them?*

Because, you know, this is a very local issue from the lagoon foundation, and I understand that. It's a very local issue right now for Carlsbad, which depends on the sandy beach for tourism; it is not an insignificant deal. But, are you planning to make presentations in Encinitas, Solana Beach and Del Mar? Are they aware of this? Have you talked to them? Response: They have been noticed. Well over half of our mailing list addresses are outside of Carlsbad. We have talked with people in Solana Beach, but are not planning on holding public meetings outside of the area of the project.

30. *Well, since the sand situation is your primary concern, I think we all agree on that, may I respectfully suggest that, perhaps, you could take your act on the road, and make a presentation in the southern cities where their questions and concerns would naturally differ from the audience you have here tonight, which is completely understandable? In your EIR, I don't know how your going to write this EIR. How can you predict where the sand is going to go? If you want to do a traffic study, you can go out there and count cars, and run a few figures. I'm talking basics. How are you going to predict, evaluate, measure sand, where it's going, where it's coming from?* Response: There are two approaches to that. One, of course, is to discuss it with coastal process engineers. There are also several fairly well known computer models for predicting sand movement and for the impact of structures. The fun part is, of course, the computer models might generate different answers. This being a surprise to an engineer, it doesn't surprise me. Part of the process involves taking the science and also dealing with the art; trying to come up with a reasoned judgment, and at the same time providing for mitigations, if in fact they are warranted.

Kirk: I want to thank everybody for coming to comment. I do apologize that we had to meet on a Friday. I would please ask of you that you keep in touch...

Public Scoping Meeting closed and adjourned.